

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA

EMILIA STRONG SYKES, et al.,)	
)	
)	
)	
Plaintiffs,)	
)	CASE NO.: 3:06-CV-582
)	
vs.)	
)	
BENJAMIN F. PAYTON,)	
PETER SPEARS, MINNIE R. AUSTIN,)	
and TUSKEGEE UNIVERSITY,)	
)	
)	
Defendants.)	

DEFENDANTS' SUPPLEMENT TO MOTION TO DISMISS

COME NOW the defendants, by and through their attorney of record and supplement their Motion to Dismiss filed on July 10, 2006 by adding the following:

1. In further support of Defendants' Motion to Dismiss for lack of jurisdiction, they submit the Memorandum Brief filed today (July 19, 2006) and styled – Defendants' Memorandum In Opposition to Plaintiffs' Motion for Preliminary Injunction.
2. To the extent the claims asserted in this action are wholly without foundation or facts and are frivolous, defendants assert that they are entitled to relief under this Court's inherent powers and any other rule, statute or case law that provides for an award of attorney's fees. Defendants demand attorney's fees and costs.

Respectfully submitted,
/s/Ernestine S. Sapp
Ernestine S. Sapp – SAP 004

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Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2006, I electronically filed the foregoing **Defendants' Supplement to Motion to Dismiss** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

Percy Squire, Esq.
psquire@sp-lawfirm.com

Respectfully submitted,
/s/Ernestine S. Sapp
Ernestine S. Sapp – SAP 004

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